

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL DOCKET NO.: 3:99CR165**

UNITED STATES OF AMERICA

vs.

THURMAN MOBLEY (8),

Defendant.

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ORDER

THIS MATTER is before the Court on its own Motion. On December 7, 2001, this Defendant was sentenced by the Court to 170 months imprisonment. Judgment was entered on February 1, 2002. On August 16, 2006, the United States Court of Appeals for the Fourth Circuit vacated Defendant's sentence and remanded for resentencing pursuant to *United States v. Booker*, 543 U.S. 220 (2005) and *United States v. Hughes*, 401 F.3d 540 (4th Cir. 2005). The Mandate issued on September 11, 2006.

Pursuant to the Fourth Circuit's Order, this Court has scheduled Defendant's resentencing for October 26, 2006. However, the Court has been advised that the attorney appointed to represent Defendant for purposes of his appeal is not authorized to practice in the Western District of North Carolina. Consequently, the Court must appoint new counsel to represent Defendant for purposes of his resentencing.

IT IS, THEREFORE, ORDERED that the Federal Community Defenders Office appoint new counsel to represent Defendant for purposes of resentencing.

The Clerk is directed to send copies of this Order to defense counsel, Defendant, the United States Attorney, and the Federal Community Defenders Office.

Signed: September 26, 2006

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line drawn through the middle of the letters.

Richard L. Voorhees
United States District Judge

